

ORDER NO. 2674

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Acting Chairman;  
Tony Hammond, Vice Chairman;  
Mark Acton;  
Ruth Y. Goldway; and  
Nanci E. Langley

Competitive Product Prices  
Global Expedited Package Services 3 (MC2010-28)  
Negotiated Service Agreement

Docket No. CP2014-69

ORDER APPROVING TEMPORARY RELIEF

(Issued August 21, 2015)

The negotiated service agreement (Existing Agreement) approved in this proceeding is set to expire one year from the September 1, 2014 effective date or the last day of the month that falls one calendar year from the effective date, whichever is later.<sup>1</sup>

In the attachment to Order No. 2167 describing changes to the Mail Classification Schedule (MCS), the Commission calculated one year from September 1, 2014, as August 31, 2015, which was also the last day of the month that falls one calendar year

---

<sup>1</sup> See Order Approving Additional Global Expedited Package Services 3 Negotiated Service Agreement, August 25, 2014 (Order No. 2167); Notice of United States Postal Service of Filing a Functionally Equivalent Global Expedited Package Services 3 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, August 14, 2014, at 3 (Notice).

from the effective date, and listed August 31, 2015, as the Existing Agreement's expiration date in the MCS.<sup>2</sup>

On August 19, 2015, the Postal Service filed a motion for partial reconsideration of Order No. 2167 stating it intended that the Existing Agreement expire on September 30, 2015, and cited the Existing Agreement's provision concerning the agreement's term for support.<sup>3</sup> The Postal Service requests that the Commission modify Order No. 2167 to reflect an expiration date of September 30, 2015, instead of August 31, 2015. *Id.* at 2.

Ambiguity exists in the agreement provision describing the Existing Agreement's term. In previous filings with similar provisions, the Postal Service has not consistently applied the same calculation in determining expiration dates.<sup>4</sup> In this case, because the Postal Service represents that the Existing Agreement was intended to expire on September 30, 2015, the Commission provides temporary relief and permits the Existing Agreement to continue until September 30, 2015.

The Commission urges the Postal Service to resolve the ambiguity concerning how it calculates this and similar provisions describing the term of negotiated service agreements to ensure that all expiration dates listed in the MCS are consistently calculated and accurate. In the alternative, the Postal Service should provide effective and expiration dates for each agreement after it is approved.

The Motion is denied; however, the Existing Agreement is permitted to continue until September 30, 2015, as requested by the Postal Service in its Motion. Temporary

---

<sup>2</sup> Order No. 2167 at 7.

<sup>3</sup> Motion for Partial Reconsideration of Order No. 2167, August 19, 2015, at 1-2 (Motion).

<sup>4</sup> See, e.g., Docket No. CP2015-106, United States Postal Service Response to Order No. 2626 Concerning Effective Date of a Global Reseller Expedited Package 2 Negotiated Service Agreement, July 31, 2015; see also, e.g., Docket No. CP2015-59, United States Postal Service Response to Order No. 2454 Concerning Effective Date of a Global Reseller Expedited Package 1 Negotiated Service Agreement, May 13, 2015, *compared with* Docket No. CP2015-103, United States Postal Service Response to Order No. 2608 Concerning Effective Date of a Global Expedited Package Services 3 Negotiated Service Agreement, July 30, 2015; Docket No. CP2015-40, United States Postal Service Response to Order No. 2364 Concerning Effective Date of a Priority Mail International Regional Rate Boxes Contract 1 Negotiated Service Agreement, February 27, 2015.

relief extending the Existing Agreement is in the public interest and will not prejudice any person.

*It is ordered:*

1. The Postal Service's Motion for Partial Reconsideration of Order No. 2167, filed August 19, 2015, is denied.
2. The Existing Agreement will expire on September 30, 2015.

By the Commission.

Shoshana M. Grove  
Secretary